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BOX 500

Patent  
50-219

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Randy DINKINS et al. ) Group Art Unit: 1645  
Application No.: 10/067,989 ) Examiner: Unassigned  
Filed: February 8, 2002 ) Confirmation No.: 9928  
For: TRANSGENIC PLANTS EXPRESSING )  
MinD OR MinE AND AN EFFICIENT )  
METHOD FOR PLANT )  
CHLOROPLAST TRANSFORMATION )  
AND GENE EXPRESSION )

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(b) dated March 25, 2002, enclosed please find:

- [X] a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of [X] \$65.00 (205) [ ] \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);
  - [ ] Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different from those listed on the application filing papers.
- [ ] a Request for Refund;
- [ ] a Petition for Extension of Time;
- [ ] a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);
- [ ] an Assignment document and a separate check for the \$40.00 (581) Assignment recordation fee;
- [X] Submission of Formal Drawing Transmittal with thirteen (13) sheets of drawings (Figs. 1-13F) for publication;

Transmittal Letter for Missing Parts of Application  
Attorney's Docket No. 028750-219  
Application Serial No. 10/067,989  
Page 2

other: a Preliminary Amendment, a Declaration Pursuant to 37 C.F.R. § 1.821-1.825, a paper copy of Sequence Listing, a Sequence Listing on a computer diskette and a copy of the Notice to File Missing Parts of Nonprovisional Application mailed March 25, 2002.

a check in the amount of \$ 594.00 for the fee due for missing parts; and

charge \$                    to Deposit Account No. 02-4800 for the fee due for missing parts.

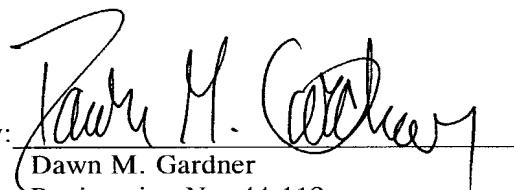
Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By:   
Dawn M. Gardner  
Registration No. 44,118

Date: May 24, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
www.uspto.gov

APPLICATION NUMBER	10/067,989	RECEIPT DATE	02/08/2002	FIRST NAMED APPLICANT	Randy Dinkins	ATTORNEY DOCKET NUMBER	028750-219
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10/067,989 2/08/2002

**FIRST NAMED APPLICANT**

**ATTORNEY DOCKET NUMBER**

10/067,989

02/08/2002

Randy Dinkins

028750-219

A circular stamp from the U.S. Patent and Trademark Office. The outer ring contains the text "U. S. PATENT & TRADEMARK OFFICE" and "MAY 26 2002" in the center. The stamp is slightly tilted.

TERESA STANEK REA  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

**CONFIRMATION NO. 9928**  
**FORMALITIES LETTER**



\*OC00000007704475\*

Date Mailed 03/25/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). BURNS, DOANE, S

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$159.
  - \$117 for 13 total claims over 20.
  - \$42 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 594.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

370.00 OP  
42.00 OP  
117.00 OP  
65.00 -OP

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)) Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

BURNS, DOANE, SWECKER &  
MATHIS, L.L.P. RECEIVED  
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63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*Y. G.*  
*Customer Service Center*  
*Initial Patent Examination Division (703) 308-1202*  
*PART 1 - ATTORNEY/APPLICANT COPY*



Patent  
Attorney's Docket No. 028750-219

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) Attention: **DRAFTING BRANCH**  
Randy DINKINS et al. )  
Application No.: 10/067,989 ) Confirmation No.: 9928  
Filed: February 8, 2002 ) Group Art Unit: 1645  
For: TRANSGENIC PLANTS EXPRESSING )  
MinD OR MinE AND AN EFFICIENT )  
METHOD FOR PLANT )  
CHLOROPLAST TRANSFORMATION )  
AND GENE EXPRESSION ) Examiner: Unassigned

**SUBMISSION OF FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**ATTN: OFFICIAL DRAFTSMAN**

Sir:

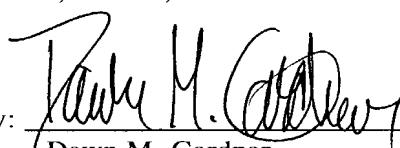
Enclosed please find THIRTEEN (13) sheet(s) of formal drawings for review by the Patent and Trademark Office in connection with the Notice to File Missing Parts of Nonprovisional Application mailed March 25, 2002. Should the enclosed drawings require changes, it is respectfully requested that the Patent and Trademark Office notify the undersigned of same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 24, 2002

By:

  
Dawn M. Gardner  
Registration No. 44,118

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